

1885-003 Chancery Causes: Adm. of Eli Anderson for bc vs. Adm. of J. W. Robinett bc
Lee Co.

Baker, Maness, Miller, Tankersley, Gilley, Kyle, Gilliam, Cawen,
Cowing, Fisher, Miner, Wood, Brewer, Delp, Herd, Livingston, Hill,
Stapleton

CA-Debt
T-Property

To the Hon. John A. Kelly

Judge of the Circuit Court of Lee County Va

Sheweth humbly complaining, sheweth unto your Honor John W Baker

Administrator of Eli Anderson, decd, for

the benefit of Sterling S. Maness, on

behalf of Sterling S. Maness, and

all other creditors of the late Jesse W.

Robinson, who will come in and seek

relief under, and contribute to the ex-

pense of this suit; That said J. W.

Robinson, on the day of 1889 depart-

ed this life, having first made and

published his last will and testament.

and one Prior J. Miller qualified

as his administrator with the will an-

nexed in this county. The said J. W.

Robinson at the time of his death ^{possessed in fee} owned,

some valuable real estate in this & Scott

County Va. apart, the greater part

of which is situated on the waters of

Clinch River bounded on the South by the

Va & Tenn State line and adjoining the

lands of Abram More W. R. Johnston

J. H. Sulph & S. S. Maness. And another

tract that he purchased of A. Mas Roller

situated on the waters of Blackwater in

this County. A more particular descrip-

tion of all of which land will in due

time he filed marked "A" and prayed
to be considered as part hereof.

A part of said lands said Robins
disposed of by his said will and de-
vised the same to the following
persons, his heirs at law on condition
of ~~some~~ of them paying certain stipu-
lated sums to others, and of certain
of his said devisees paying his just
debts. to wit ~~to~~ John S. Robins, J. H.
Robins, Geo W Robins, Mary F. Tank-
er wife of Geo. W. Tanker, Martha A
Gillay wife of Wm. T. Gillay, and Rebecca J.
Robins. The residuum of said lands were
undisposed of by said will and descended
to the following children & heirs at
law of said J. W. Robins. viz: John
S. Robins, J. H. Robins, Geo W Robins
Lydia Miller wife of Prior J. Miller
Mary F. Tanker wife of Geo W Tanker
ly Martha A Gillay wife of Wm. T. Gillay
and Rebecca J. Robins who, since the
death of said J. W. Robins, married
T. R. Kyle, and has since her said
marriage died leaving Minnie J.
Kyle her child & heir at law who is
an infant. Said John S. Robins,
has since the death of said J. W.

Robinson died, leaving a widow Martha Robinson, and William Robinson, Laura Robinson, Elizabeth Robinson and Dona Robinson his children & heirs at law, ^{infant} ^{et al} ^{et al}
Said J. W. Robinson left a widow Elizabeth Robinson.

Now orator states & charges that heretofore, to wit on the 17th day of May 1882 he obtained, in the ^{County Court of said} County of Lee, a judgment against the said Prior J. Miller administrator of the said J. W. Robinson died for the sum of \$54.55 with interest thereon from the 1st day of August 1869 till paid & \$5.20 cost no part of which has been paid.

Said judgment was duly docketed in the Clerk's office of the County Court of said County of Lee. A transcript of which will in due time be filed marked "B" and is prayed to be considered herewith.

Now orator also states and charges that Gibson & Co did on the 6th day of August 1881, before J. M. Tate a justice of the peace in & for said County of Lee, obtain a judgment against said Prior J. Miller administrator of J. W. Robinson died, for the sum of \$18.61 with interest thereon from the 6th day of July 1881 till paid, &

\$1 cost, no part of which has been paid
A transcript of which will be filed marked
"C" ^{is} prayed to be considered here with

Now your orator states that said
Stirling & Maness was the only ben-
eficiary in said last mentioned judg-
ment. That one David O. Gibson
& said Stirling & Maness composed
the whole firm of Gibson & Co. ^{and}
that he, said Stirling & Maness
purchased for value, said ~~Gibson's~~
whole interest in said claim.

Now your orator is advised
that said judgments are a lien
upon the before named & described
real estate and that said lien is
enforceable by a court of equity.

Your orator alleges that there is ^{not}
sufficient effects in the hands of the
personal representative to pay & dis-
charge said judgments.

The premises considered the prayer
of your orator is that the said J. St.
Robinson Geo W. Robinson, Prior, J. Miller
administrator of J W Robinson, ^{decedent} with the
will annexed. and in his own right
and Lydia Miller his wife, Geo W Tankers-
ley, & Mary F. his wife, ^{Wm} J Gilley & ^{Martha}

From his wife J. R. Kyle, Minnie J. Kyle,
Elizabeth Robins ^{widow of J. R. Robins decd}, Martha Robins, William
Robins, Laura Robins, Elizabeth Robins
& Gona Robins, be made parties depend-
ant to this bill and required to an-
swer the same fully & truthfully.

That a guardian Ad Litem be ap-
pointed for Minnie J. Kyle, William
Robins, Laura Robins, Elizabeth Robi-
nits & Gona Robins who are infants.

That upon a hearing a decree
be rendered enforcing said lien
that the aforesaid real estate or
so much as may be found nec-
essary be rented to satisfy said
judgment, ^{upon interest & cost & the cost of this bill} That all proper ref-
erences be had to a commission-
er. And for all other, further & gen-
eral relief. May spa issue &c

And as in duty bound &c

A. O. Manges.
For Plff.

A. C. O. M.

Costs recovered

6 3. 90

8 1. 50

Writ + exp. 2. 50

4 15. 00

\$ 22. 90

John W Baker ^{admr}
for &c
vs Bill

Prior J. Miller. ^{admr}
etals

Diffs costs

6 9. 15

Det. L. 5. 00

8 3. 00

Pr. 5. 00

\$ 22. 15

~~1884 June 19th Bill filed~~

" July 2nd. Exp. on home debt
+ Prior exp. to them
+ O. P. as to now recorded

" Aug. O. P. conf. b. O. P. Conf. to
+ Cause set for hearing by P. D.

1884 Aug. Decree + Contd.

1885 Aug. Decree

Final

To the Hon. John A. Kelly Judge of the
Circuit Court of Lee County Virginia

The Demurrer and Joint answer of
Prior J. Millier in his own right and as
administrator of the estate of J. W. Robinett
deceased and George W. Tankersley and Mary
his wife, to a bill filed in this Hon
Court against them and others by J. W. Baker
admr. &c.

The defendants say the plffs bill
is not sufficient in law, and of this
they pray judgement of the Court &c.

Yet not waiving the same, if any
after or further answer be deemed nec-
essary answering they say, it is true
the plff obtained the judgement of \$54.55
mentioned in his bill, but they deny the
beneficial plff ever paid value therefor
or is the equitable owner thereof, but from
all they can learn he took the note from
the nominal plff to collect for him, and
that he did collect from J. W. Robinett
the full amount thereof, and paid
the same over to Baker and retained the
bond, this fully appears by Baker's
deposition, and the plffs own admis-
sions on the trial at law. But the plff
claims to place the money received from

Robinet on after matters. J. W. Robinett
was good for his debts all his life and
lived a near neighbor to the plff until
his death, and though all these long
years the plff never took any steps
to collect the same or made so far as
these respondents know any demand
therefor - He is a poor man and needed
it, and J. W. Robinett had heretofore been
cold in his grave until he was demand-
ing this money, and when pressed by
John W. Robinett one of its heirs to state
his demand he claimed an entirely dif-
ferent debt, ^{and this debt upon was paid, and that Robinett owed this} and made no mention of
this one - He was confronted with ^{these} facts
on the trial at law but swore out of
it - yet so powerful were the chain of
facts against his false theory that he
never filed his bill from that time till
the present or at the June Rules, shortly
before which time John W. Robinett
deported this life, and then the plff
supposing the way was plain pro-
ceeds to flourish his trumpets. These re-
spondents do not hold their lands as
the plff supposes by virtue of J. W.
Robinett's will, but long before he made
said will the same was deeded to them

for a valuable consideration, and the plffs
Judgement is no lien thereon nor are they
bound as heirs never having received
any assets but they hold by purchase
all which will fully appear by a
transcript of their title hereafter to be
filed herewith as part hereof. These re-
spondents are advised that they are in no
wise bound as heirs by the plffs judge-
ment at law but that they may make
such defense now as they then might
have done. The note on which the plffs
\$54.55 cents judgement was formed, was
executed by ^{Eli Andersen and his security} J. W. Robinson, to the nominal
plff as agent of Eli Andersen, at the
the parties were residents of the state of
Tenn. Said obligation was executed there
with a view to its performance there, and
by the laws of Tennessee would be barred
within six years from its date, and the
law of the contract as your respondents
are advised is the law of that state
where executed and to be performed - and they
are advised that the same would be and
is so barred by the laws of this state
when sought to be enforced here, the ben-
efit of which they here claim. They
are informed and therefore allege that said

Judgement has been long ago paid to said
Baker, and therefore said note could
not be sued upon after its payment
but its plaintiff if it had any remedy it
was for money paid laid out and
expended for the use of said Robinson
and so would have been barred in five
years and its benefit whereof they also
claim. The small judgement is also
barred by limitation and was at its date
of its rendition, but if not the statute
requires 60 days notice before bill filed
and the benefit of that notice they claim
and none has been given. And having
now fully answered, they pray hence to be
dismissed with their costs.

A. L. Pendleton for deft.

Virginia, Lee Co. to wit.

This day Prior J. Miller and Geo. W. Tankersley
Each appeared before me in my County aforesaid &
made oath in due form that the facts stated in the foreg-
oing answer are true so far as they depend upon their
own knowledge, & that so far as they depend upon information
as derived from others they believe them to be true.
Given under my hand this day 20 1882.

J. A. Hyatt
cc.

Prior J. Miller & Geo.

Ans. Answer.

J. W. Baker answer.

John Baker Adm^r to for the Plffs.

against

Prion J. Miller Adm^r to et al. Defts

To the Hon. John A. Kelly Judge
of the Circuit Court for Lee County.

The answer of Minnie J. Kyle
William Robinett, Laura Robinett,
Elizabeth Robinett and Dona
Robinett, infant heirs at law
of J. W. Robinett decd, by J. A.
L. Hyatt their Guardian ad litem
to a bill exhibited in this Honorable
Court against them and others under
the above style.

On behalf of said five infants,
this respondent says, that, as he
is informed, his said wards are
of tender years and as such are
the peculiar characters of Courts
of Equity, and this respondent
not knowing any thing of the truth
or falacy of the Plffs' bill, and
these wards not enabled on account
of their age to advise touching
their interest, the same is comm-
itted to the guardian care and
protection of Your Honor.

Respondents having answered

as fully as deemed necessary, pray
that they, together with respondent
be hence dismissed with their
Costs.

J. A. G. Hyatt

Quar. ad litem

John W. Baker Attorney for

Ans. G. A. L.

Wm. J. Miller, Plaintiff

Filed Aug. 1884

J. A. G. Hyatt

Rec'd

John W. Baker and for & Off.

against

P. J. Miller et al. vs. } On the

This Cause
came on this day to be heard
upon the issue heretofore joined
on the defendants plea of the
statute of Tenn. and the depo-
sition of witnesses and was ar-
gued by Counsel - On consider-
ation ~~and~~ ~~of~~ the Court is of
~~opinion and doth so adjudge or-~~
~~der a decree, the said plea the~~
Court being of opinion that the
said plea has been made out
and that said debt sued on ~~has~~
~~was~~ based by ^{at the request of the plaintiff} ~~the~~ ~~plaintiff~~
adjudge order a decree that the
pleffs bill be the same is dis-
missed - And that the defendants
recover against the beneficial
pleff S. S. Maness their costs of
this suit, to be taxed by the Clerk
and execution may issue therefor
And no further action being neces-
sary the Cause is stricken from
the docket. But without prejudice to
the beneficial pleff to hereafter enforce if he
advised the debt in the bill mentioned.

John H. Baker adm^r
gen^l

v³ Decue
Funal

Payor J. Muller & Co
Aug. 1. 1883

Entered page

461. J. A. Hyatt & Co

Enter this
Aug. 27 1883.
J. A. H.

J. W. Baker et al
against
Pier J. Miller et al } Inchy

This, cause
came on this day to be heard
upon the bill of the plff, and
as to the ~~judgment of \$500. 5-6-7~~
plea ~~to~~ thereto filed and object-
tions by the plff to the filing
thereof. And was argued by Counsel.
On due consideration whereof
the objections to said plea, are ~~and~~
~~the same~~ hereby overruled and said
plea ordered to be filed; and the
plff replies generally thereto and
issue is joined thereon, and the cause
is continued.

John W. Bokeraday
Jr.

$\frac{1}{2}$ order -
Filing plan

Prior J. Miller et al
Aug. 7. 1884

Entered page 411
J. A. Hyatt, C. C.

Enter
J. A. Hyatt
Aug 29 1884

* in the presence of Sterling M. and J. Miller
and J. W. Miller defendant

The depositions of John Baker Stephen
Levaay and James ~~Self~~, Taken before me
the undersigned a Justice of the Peace,
permanant to notice and Commission
hereunto filed, at ~~Kyles Hard Hancock~~
~~County Tennessee~~ in the County of Hancock
as State of Tennessee, on the 15th day
of April 1882, and which are in-
tended to be read on behalf of
Prior J. Miller administrator of the estate
of J. W. Robnett deceased, in a certain
suit at law now pending in the
County Court of Lee County, wherein
J. W. Baker admr. for the benefit of
Sterling M. and J. Miller is plaintiff and said
Miller admr is defendant.
John Baker a witness of lawful
age being first duly sworn deposes
and says:

Question by the ~~Plff~~ Sept
Question

1st question was you administrator
of Ealy Andersons Estate Sept
Answer I was
Q 2 Did J. E. G. Anderson & J. W. Robnett
execute you a note as administrator
of said Estate

answer They did
question 3 what was the amount of
that note

answer The amount was about
a hundred or a little the
size thereof That my dea section

question 4 where was this note assigned

answer at Anderson one the day
of the sail in Hancock
County Tennessee

question 5

Did J. M. Robins pay the note you speak
of above or any part thereof and
if only a part how much

answer he paid fifty two dollars
question 6th

When did J. M. Robins leave his residence
at the time the note in question was
executed

answer in Hancock County Tennessee
question 7th

Is the note you speak of above

the same note now in suit in this
cause in the Court at Jonesville or

answer Starlen & maizes tel me that this

this is the same note that is

good ~~in~~ in this case

question 8th please state how said ^{note} left your hand
by plaintiff and became the property of said Kamp

answer I give up that note by your giving

of your note and and tel me

of me that you would pay me the
money

question 9th

do you or do you not recollect how I came
to make exchange of giving my note ^{for} the note
now in controversy

answer I give up that note because I had

not money a nepp & attached to

said by the note and the ~~after~~

second note was satisfied

This question
and answer
is excepted
to
names
answer

Very assured

1st At the time you gave up the note you held on
E. G. Anderson & J. M. Robnett to Sterling S. M. Jones how
much money had you at that time that you turned
over to M. Jones and who did you let have it
I had seventy or eighty dollars and I handed
it to M. Jones
and further the deponent sayeth
not
John W. Baker

Tennessee Hancock County to wit
I James H. Delp a Justice of the
peace in and for the County aforesaid
do certify that the depositions of John
W. Baker
were duly taken, reduced to writing
sworn to and subscribed before me
at the time and place mentioned in
the caption. Given under my hand
this the 15th day of April 1882
James H. Delp J.O.

Orin J. Miller adm.

Adm. } Depositor

J. W. Baker adm.

Depositor of John W. Baker

James W. Delf J.D.

Taking this deposit of \$100

Filed Apr 19th 1882

John R. Gibson clk.

The depositions of Martui Gilliam
and others, taken pursuant to notice
herewith filed, at the dwelling
house of Martui Gilliam in Scott
County Virginia ^{on the 26 day of February 1885} and which are
intended to be read as evidence
upon the part of Payer J. Miller
& wife George Tankersley & wife
and others heirs at law of J. W.
Robnett decd are in a certain
suit in Chancery now pending in
the Circuit Court of Lee County Va
wherein J. W. Baker for the use of
J. S. Mauley is plaintiff and said
Miller & wife and others are de-
fendants; Martin Gilliam D. W. Bowins
Shadrack Fisher James Miner
Martui Gilliam a witness of lawful
age being duly sworn depose, and
say,

In testimony ~~whereof~~ Defendant

Mr. Gilliam Were you acquainted with J. W. Robnett
and E. G. Anderson
Ans

I ~~was~~ am

In which State Did they each reside
from 1860 to 1866

Ans

J W Robinett lived in Tennessee
Mr E L Anderson lived in Tennessee
in 1860 but how long after I do not know
he remained there till sum time in
the war

Martin ^{his} Gillum
Mark

G W Gowen a witness of lawful age
being duly sworn deposes and says

Question by Defendant

Mr Gowen Were you acquainted with F W Robnett
E G Anderson of W Baker adm Eli Anderson estate

Ans I was

Question by same

In which state did ^{they} each reside Tenn or Virginia

Ans

In Tennessee untill E G Anderson moved out
in 1866

Question by same

Please state what you know about F W Robnett
voting and paying tax in the state of Tenn.

Ans

He voted in Tennessee and he paid his personal
tax in Tennessee

given by Manly

Were you acquainted with F W Robnett's situation
in regard to the Virginia & Tennessee Station

Ans

He was situated in both states as I understood
but lived in Tennessee The state line running
so as to take the East corner of his farm
in Virginia the balance of his dwelling in
Tennessee I think that he has a hundred acres
of land ~~or~~ more in Virginia

His barn and corner ~~in in~~ is in Virginia
G. W. Gowins

Shadrac Fisher a witness of lawful age
being duly sworn deposes and says

Dees by Defenant

^{Mr. Fisher} Were you a ^{wife} guaranteed of W. Robnett E. G. Anderson for
Baker and of Eli Anderson estate also Eli Anderson
Ans

I was
Dees by Sam
^{Mr. Fisher} Please state in which state they each
resided for Tenn or Virginia from the year
of 1859 to 1866

Ans

In Tennessee

Dees by Sam

Please state what you no A bout the Parties spoke
of voting And paying tax as ~~citizen~~ citizen of Tennessee
Ans

I no that they both voted that is E G
Anderson and J W Robinette in Tennessee
Dees by Plaintiff

please state wheth or not you know of
E G Anderson voted in Tennessee in the
years 65 or 66

Ans &

I did not

Question by the Defenant

^{no} Mr. Fisher Do you ^{no} where the Parties A have named
Paid there poll tax
Ans

In Tennessee

gues by Plaintiff

pleas State and give dates of the year
as near as you can when this tax
paying was done

Answer

Mr J W Robnett paid tax from about the year
of ~~1855~~ 1858 up till his death ~~1857~~ 1879
and Mr E S Anderson paid tax from ~~1858~~ ¹⁸⁵⁸
to 1861

gues by same

do you know that J W Robnett paid
poll tax

Ans

I do not

Shadrick Fisher

James Miner a witness of lawful age
being duly sworn deposes & says
Testified by Defendant

Mr Miner Was you acquainted with J W Robnett
E S Anderson J W Baker adm of Eli Anderson
estate all so Eli Anderson

Ans

I am
Deus by same

I pleas state in which State they each resided
in the year of ~~1857~~ ¹⁸⁵⁹ to 1866

Ans

In Tennessee

Deus by same

~~do you know~~

Please state what you know about the
Parties a how nam Paying tax and voting in
Tennessee

Ans

I know that J W Robinett and E G Anderson
voted and paid tax in Tennessee
yes by Plaintiff

Please state and give the dates of the years
that J W Robinett voted and also paid
poll tax in Tennessee

Ans

I do not know that he paid poll tax
and I am not positive what year he voted
Question by the Defendant

Mr Miner ~~Pls~~ State.. Did your father sell
the Tracts of land a horse spoke of to J W
Robinett and E G Anderson and if so in which
State Did your father and brothers Pay Poll
tax ^{and} vote when living ⁱⁿ the houses a horse mention
Ans

My Father sold the land to E G Anderson
& James Sage and they sold the land
to J W Robinett my Father and Brothers voted
and paid poll tax while living in the
same houses that J W Robinett formerly
occupied in Tennessee
yes by Plaintiff

Please state whether or not the Statute
has not been removed and redefined since
the time above referred to
Ans
I understand that it has

James ^{his} Miner
Mark

Virginia Scott County to wit
I J. H. Bloomer, a Justice of the
Peace in and for said County and State
do certify, that the depositions of
Martin Gillicum G W Gowins
Shadrick Fisher James Miner

were duly taken sworn to and
subscribed before me at the times &
places mentioned in the Captions Given
under my hand this 28 day of
February 1885

J. H. Bloomer. O

Ryos J. Milbourn

and J. De los

J. W. Baker for

Recd. by mail
and filed Nov. 5/884

J. A. Hyatt
c. c.

The deposition of J. H. Wood and
others taken before me the under-
signed in the Clerk's office of the Circuit
Court of Scott County Va. on 18th day of
August 1885; pursuant to notice herewith
filed, and which are intended to be
read as evidence on behalf of
Pryor J. Miller adm & others in a certain
suit in chancery now pending in the
Circuit Court of Lee County Va.
In which ~~John Baker adm & others~~ are
~~defendants~~ and ~~Miller & others~~ are
~~plaintiffs~~ D. S. Maness is plff and
said Pryor J. Miller & others are defend-
ants. J. H. Wood a witness of lawful age, being
first duly sworn deposes & says,
testimony by the plff.

Please state whether or not you
are an atty at law, and whether
or not you practice in the State
of Tennessee. And if please state
what the laws of that State as to
limitation upon notes of hand
whether under seal or otherwise;
any such instrument as are usually
executed for sale of property &c.

Ans. - I am a practicing atty
& practice law in the
State of Tennessee & the
laws of limitation are

Such instrument, or num-
tion in the question is
six years after the right of
action accrues, and further the
deponent says not. J. H. Hood

W. P. Brewer another witness of
Careful age deposes & says

Question by the Plff.

Please state whether or not you
are acquainted with the laws of
Tenn: and if so what is the statute
of Limitation, as to notes, and personal
obligations for the payment of money?

Ans. I am acquainted with the
laws of Tennessee being a deputy clerk
of the Circuit Court of Sullivan County.
The limit is six years.

and further depts with not.

W. P. Brewer
per

Virginia Scott County Court

I J. H. Morrison do certify that the fore-
going depositions were duly taken & sworn
to and subscribed before me at the times
and places mentioned in the caption. Given
under my hand this 19th day of August 1885.

Comrs per \$1.50 p.

J. H. Morrison Comr

J. H. Hood 50 p

W. P. Brewer 50 p

John Parker Jones

Aug 22/85

E. O. Mans

Recd from A. G.

Indemnity and

filed Aug. 25/85

J. M. H. H. H. H. H.

It is agreed, that this deposition was
taken on the 18th of Aug. but no exception
is to be taken on that account Aug. 19th/85-

Attest
J. M. H. H. H.
J. M. H. H. H.

The depositions of J. H. Deek
J. D. Herd - Gilford. Miner & J. A. Kyle

and others, taken at the dwelling
house of Jacob Bratterton

Hancock County Tennessee before
the undersigned a Justice of the peace
in and for said County pursuant to
~~and Commission~~ notice, herewith filed, on the 10th
day of November 1884, and which are
intended to be read as evidence on
behalf of Pryor J. Mulhoad and others in
a certain suit in Chancery now
pending in the Circuit Court of
Lee County, Va. wherein J. W.
Baker, admr, for the benefit of
Sterlin L. Manup is plaintiff and said
Pryor J. Mulhoad and others are defend-
ants.

J. H. Deek — a witness of
lawful age being first duly sworn
deposes and says:

In answer to depts.

were you acquainted with Jesse W.
Robnett in his lifetime, also J. W. Baker
admr of Eli Anderson and also Eli

Anderson in his lifetime if so about the
years 1860-61 & on to 1869 in which State
Tenn. or Virginia did they each reside?

Now I was acquainted with Jesse W. Robnett
in his life time and all saw J. W. Baker the administrator
of Eli Anderson West and all saw
Eli Anderson in his life time and they
all there was residents of Tennessee
up to their deaths Jesse W. Robnett
deceased in the year of 79 and
J. W. Baker is ^{is} a resident in Tennessee
yet and I know that Jesse W. Robnett
was a resident of Tennessee for I was justice
of the peace for a hat 17 years and sent
him and his property in Tennessee and he all
saw voted in my presence what I voted
he voted for me in the year of 46 in
Hancock County Tennessee

State, how long J. W. Robnett and J. W.
Baker adm^r has lived in the State
of Tenn.

answer Jesse W. Robnett lived in Tennessee
from the year of 57 up to his death in
79 and J. W. Baker has been a resident
of Tennessee for 50 years

yes by
plaintiff

Mr. Delfe you state you are a graduated
J. W. Robnett's pleases state what you
know about ^{his} residence and situation
both in land and property lying and
on the State line and Hertick county north
the county line

answer his residence was in Tennessee
where he lived though he had land in both
States as I understand in Va and Penna
adjoining in each State I suppose
that it was a part half in Va in
the State of Va and as to the State line
my understanding was that the State
line strucke thru over the
house though I do not now I never saw
the line run

yes by
same

pleases state what you know about J. W.
Robnett keeping him help out of
the State of Tennessee so that it dif-
ficult to serve a civil process on

him

answer

of Mr Robnett at the close of the war was
rather dodging back ward and forward
across the line as he told me that there
was some party that was threatening of
his life and he was a fool to be passing
thru the Country Publicly

~~across~~ ~~Robnett~~ an other witness of
lawful age deposes & says?

Question:

How long have you known
Jesse W. Robnett, J. W. Baker
adm of E. J. Anderson, Eli Anderson
and E. J. Anderson - state where they
each resided from 1860 on to the
day of the sale of Eli Andersons
property by J. W. Baker his adm.

Tennessee Hancock County to wit

I L. M. Baldwin

am acting

Justice of the Peace for the County & do hereby
affirm and do certify
that the foregoing depositions of

J. H. Delf J. D. Head Gilford Minner
& J. A. Kyle

were duly taken, sworn to and sub-
scribed before me at the times and
places mentioned in the Caption.

L. M. Baldwin J. P.

Payor J. Miller & al

Adm & Depts

J. W. Barberman for

Recd by mail in
good condition
filed Nov. 24 '88
J. J. G. Hyatt

further more this witness sayeth not

J. A. Kyle

question
by defense
and

How ^{far} down in Tennessee from the
Virginia line from the date of 1847 to 1861
did J W Robnett live and also how
long after ~~that~~ ^{the war} was it till he practiced
Medicine in Tenn

answer

J W Robnett said something a Bout on
hunderd yards or something over that
distance down in in Tennessee from where
died and was given there at the Close
of the war and had Ben given there
for on a Bout 57 and one tel a Bout
The yeare of sixty seven then when
at what time he moved to the Houe
where he died all J W Robnett practis
sed med ison in Tennessee in the
yeare of sixty 5 ~~7~~ in the summer fall of
that year and on up to his de the
further more this witness sayet nat

J. H. Delp

J. D. Heard another witness of lawful age
Deposes & says

Question
By Defense

How long have you known J W Robnett
J W Baker Ad of Eli Anderson stat
where they each resided from date 1867
to 1877

Answer

question
by defendant

I have known J W Robnett I have known
him for the last twenty years &
I have known J W Baker for thirty
years and I have known Eli Anderson
several years up to his death
they all was residents of the state of
Tennessee for the last twenty years
Did you ever see J W Robnett as a witness
of yours if so in what year

question by
plaintiff

I do not recollect the persons that I met
him but he has been several years again

pleas state what you know about J W
~~Robnett~~ Robnett's relocation with to the State
line also whether or not his land in
Tennessee was or was involved so that
it could not be reached with a another new
survey I do not recollect any
thing about it to any certainty
further more this witness says it not
I Others

question By
Defendant

Gilford Miner another witness of lawful age
I does & says
was you acquainted with J W Baker Ad of
Eli Anderson and all to Eli Anderson, if so
and also J W Robnett
where did they reside at from 1867 to 1879
in Tennessee or Virginia

Answer

was acquainted with all of them and they
all lived in the State of Tennessee

question by deft

pleas what you know about J W Robnett's
Land Houses and barn being situated with
the Tenn & Va State line also whether or not
his land in Tennessee ^{was} not involved ^{through} years
referred above

Answer

his land was about one half in Tenn and the
other in Va his house in Tenn & Barn in Va
I think the land in Tenn was involved about the
above state

time above stated

question by
Defendant

Mr Miner do you no f w Robnett ^{land} was in
volue within your self the date of
Bore mention within your self or from
her say

Ans

I no it from what other folks told me
and I further no of Robnett heirs paying money
to Sizemore on the in volvement
further more this witness sayst not

Gelford ^{his} + Miner
mark

question by
Defendant

J. A. Kyle another witness of lawful age
deposes as follows

Was you acquainted with f w Robnett and
f w Baker the Ad of Eli Anderson and also
Eli Anderson of so in which state did
they resid in the years 1857 to 1879
I was was acquainted with the three
men aboves named they lived in
Tennessee & in the aboves states

Ans

ques by
deft

Mr Kyle pleas state what you know about
f w Robnett's situation in regard to
land houses & barns ^{to the state line} also whether his land
was or was not in cumbrd in law through
the date refered to

Ans

his ^{dwelling} ~~house~~ house was in Tennessee & his barn
was I suspect his Land was in cumbrd
part of the time of the aboves dates
I work acrossed the state line & abate
valued the farm

Sterling S. Maness

Beneficiary Plaintiff
vs

In Chancery

Prior J. Miller. Adm^r of

J. W. Robinett Deceased, and

Others Defendants

In the Circuit Court

of Lee County Virginia

Depositions of (May)

A J Livingston and

Charles M. Hill, and

Louis Stapleton

Taken upon Notice which is herewith
filed. on the 21st day November 1884
at the Dwelling house of Jas. M. Moore
in Lee County Va as Specified in said
Notice before me the undersigned Jas. M.
Moore an acting Justice of the peace in
and for the said County in the
presence of the Plaintiff and
Prior J. Miller and Defendant

May A. J. Livingston a witness of Lawful
age after being duly sworn deposes
and says.

Ex by Plaintiff

Were you acquainted with J. W. Robinette
in his life-time?

Ans by wit

Yes sir.

Question by same

Please state what you ^{know} about J. W. Robinette being enrolled as a voter in Lee Co, Va.? Also state as near as you can the date of his being enrolled as a voter in said County, and whether or not you ever transferred him to any other place.

ans by wit

I was Register and I registered him at his request. as to the date I don't exactly remember, though it was some years before his death. and I never give him any transfer.

and further this deponent said not

A. K. Livingston

Charles M. Hill another witness of Lawful age after being duly sworn Deposeth and saies.

Question by Plaintiff

Were you acquainted ^{with} J. W. Robinett in his lifetime.

Ans by witness

Yes sir.

Are you or not a conductor of the Election at The Blackwater Precinct. if so how long have you acted as such

Ans by wit

I am. and have been most all the while since the war.

In by same

you will please state whether Dr J. W. Robnett. ever voted under your Auspices. at said Blackwater Voting ground in Lee County, Va

Ans by wit

My recollection is that he did

and further more this Deponent saith not

Charles M. Rice

Louis Stapleton another witness of Lawful age after being duly sworn saith as follows

In by Plff

You will please State what you may know about Dr J. W. Robnett being a citizen of Virginia

Ans by witness

I heard Dr J. W. Robnett talking about his land. he said a good portion of it lay in Virginia. and he also said that a portion of his Dwelling house stood in Virginia and he also stated that he

Claimed himself as a citizen of Virginia
and further this Depoent saith not

Louis Stapleton

State of Virginia

Lee County

I Jas. M. Moore a Justice of the
peace in and for the above named County and
State do certify that the foregoing Depositions of
A. J. Livingston Charles M. Hill and Louis
Stapleton was duly taken and sworn to be-
fore me on the 21st day of November 1884

the plft. and Defts both being present, but
the Defts asked no questions.

and I further Certify that I Sealed up the
said Depositions and put them in the hands
of

to be delivered to the
Clerk of the Circuit Court of Lee Co
Va Given under my hand and
official Signature. Nov the 24th 1884
Jas. M. Moore J.P.

Bill of Cost

A. J. Livingston witness one day 50

Charles M. Hill. wit. one day 50

Louis Stapleton wit. one day 50

Jas. M. Moore J.P. employed 7 1/2 hours @ 75¢ 1.12 1/2

Total of cost 2.62 1/2

Jas. M. Moore J.P.

Mr. Pryor J. Miller, and other heirs of J. W. Robinette
deceased,

You will please take notice that on the 21st day
of Nov. 1884 at the dwelling house of James More, J. P. in
Lee Co., Va. I will proceed to take the depositions of A. J.
Livingston, Charles M. Hill and others to be read as evidence
in my behalf in a certain suit now pending in Chancery
in the Circuit Court of Lee Co., Va. in which I am bene-
ficiary Plffs. J. W. Baker administrator nominal and you
are defendants And if from any cause the taking of said
depositions be not completed or if commenced and be not conclu-
ded the taking thereof will be adjourned from time to time
and from place to place in the ^{said} County of Lee till they are
completed.

S. S. Maness

Nov. 14, 1884.

Virginia Lee County.

To wit: This day personally
appeared before me, the undersign-
ed J. P. Jas. H. Maness and made
oath that he delivered to Pryor J.
Miller, Administrator of J. H. Rob-
inette deceased, a true copy of
the within notice on the 14th day
of Nov. 1884.

Jas. H. Maness J. P.
This Nov. 15th, 1884

J. H. Maness
J. P.
for Pryor J. Miller
Administrator
J. H. Maness

J. H. Baker for
us } Depo

Pryor J. Miller

Filed Nov. 25/1884

J. H. Hyatt
c o

John W Baker adm for re
as
P. J. Miller adm clats } In long

This day H. D. Maness personally
appeared before me and made
oath that Sterling S. Maness the
beneficiary plaintiff in above cause
informed him that he has recently
discovered that he (said plaintiff) can
prove by witnesses who reside in Ten-
nessee that the late Jesse W. Robinson re-
moved his citizenship from Tennessee, be-
fore the termination of the running of
the statute of limitations of Tennessee, ^{and remained away till his death}
that the note in controversy is not
barred in Tennessee. And that the
plaintiff's affidavit filed in this
cause relates to these facts.

H. D. Maness.

Sworn to before me by A. G.
D. Maness, August 26th 1885.

J. A. Hyatt C.

J. W. Baker for
vs { Affidavit

P. J. Miller et al

J. M. Baker adms for &c Plff.
vs
Poyor J. Miller adms et al Defs

I certify that I have recently
discovered evidence on my be-
half in the above cause, that
I have been advised by my coun-
sel that it is material for my
defense, and that I cannot rea-
sonably procure said testimony at
the present term of this court.
[Aug. 25 1885]

Sterling S. Marsh

J. W. Baker admin

vs } affidavit

P. J. Miller et al

John W. Baker ^{admr} for &c
vs

P. J. Miller admr et al

I certify that Rufus Kyle & Minnie
Jane Kyle, P. J. Miller in his own right
& Lydia his wife, Tip Gilley & Martha
Adm his wife, J. Hampton Robnett
& P. J. Miller admr of J. W. Robnett, decd
are nonresidents of the Commonwealth
of Virginia as affiant is informed
and believes.

Sept 18th 1883.

Albion M. M. M.

Sworn to before me Sept 18th 1883

J. A. G. & Co
Clerk

J. M. Baker admn
for & c

vs J. Affid

P. J. Miller ^{admn} _{etale}

~~_____~~

Filed, Mr. 1884

J. & G. Hyatt & c

J. W. Baker Adm^r & Ex^r

Defts

vs
J. F. Miller Adm^r of J. W. Robinett decd Defts

In Chancery

I. A. C. J. Maness do hereby
Certify that, Prior J. Miller & Lydia his
wife, J. W. Robinett, Geo. W. Robinett,
L. R. Kyle, Minnie J. Kyle and
Elizabeth Robinett the widow of the said
J. W. Robinett decd, to the best of my
knowledge and belief are now
residents of the Commonwealth
of Virginia. So help me God.
June 19th 1884 A. C. J. Maness.

Sworn to before me by A. C. J. Maness
June 19th 1884.

J. A. Hyatt clk

J. M. Baker Comte for to
vs } affidavit for
} order Pub.
Prison J. Millen Com
to others

John W. Baker Admr for ^{tr} Plff.

vs

Prior of Miller Admr ^{tr} Deft

Judgment for \$54.55 with legal interest from the
1st day of August 1869 till paid & the costs.

£3.75 - A. 1.25

May 1. 1882. O.B. 478

Attest

Teste John R. Gibson clk

J. W. Baker Adm'r
vs } Copy of Judgt

Prior Miller Adm'r

" B "

Filed Aug.
26 1864.
J. A. Hyatt
C

Prior J. Miller adm^{or} et al
advs } on chy
John W. Baker adm^{or} for et

The defend-
ants Prior J. Miller and Lydia Miller his
wife, George W. Tankersley and Mary F.
Tankersley his wife, Wm T. Gilley and
Martha Gilley his wife, Comes and de-
fends the plffs action and for plea
says the plffs ought not to main-
tain his ^{said judgment for \$54.55} action ^{as to his} aforesaid, because they
say the plffs suppose judgment
is founded on a note under seal
executed by E. G. Anderson and the late
J. W. Robinette to the nominal plaintiff as
the administrator of ^{the estate of} one E. G. Anderson
deceased for the sum of one hundred and
six dollars and fifty five cts, due ~~three~~
months after date and dated 19th day
of Nov. 1861; Subject to a credit of
\$52. Aug. 1st 1869, And defendants
aver at the time it was so executed
viz: Nov. 19th. 1861, The nominal plffs to
whom the same was executed was a citizen
of Hancock County Tenn, as was J. W.
Robinett, and that said bond was so
executed in Hancock County Tenn between
two citizens of that County & State, with

~~a view~~ to be there performed. and that by the
laws of Tennessee, at the time and
before the bringing of the plffs action
the same was barred by the ^{of limitation} laws of
said State of Tennessee; And so the
plffs aver that at the time and before
the institution of the plffs action, the
same was so barred by limitation and
that they are ready to verify where
A. L. Ordernore

Carroll J. Miller et al

vs
Carroll J. Miller et al

J. W. Baker et al

Filed Aug. 29 1884

Joseph G. G. G. G. G.

Mrs S. J. Maness.

you will please take notice
that on the 10th day of November 1884
at the dwelling house of Jacob
Bratterton — in the County of
Hancock State of Tennessee, we
will proceed to take the depositions
of J. H. Delp, Jacob Bratterton,
G. D. Herd, J. A. Kyle, Joseph H.
Baker, William Willis, & Guilford
Miner which when taken are intend-
ed to be read as evidence on our
behalf, in a certain suit in Chancery
now pending in the Circuit Court of
Lee County, Virginia in which ~~Bratterton~~
and ~~J. H. Baker~~ ^{and J. H. Baker} ~~adversely~~ ^{adversely} is nominal
adversely are defendants, and you are
beneficial plaintiffs. And if from
any cause the taking of said dep-
ositions be not commenced on that
day or if commenced be not con-
cluded the taking thereof will be
adjourned and continue from time
to time and from place to place
in said County of Hancock until
completed

Oct 26th 1884 Pryor J. Miller and
attys the Heirs at Law of J. H.
Robinson deceased.

Tennessee Hancock County to wit:

This day George W. Tankersley personally appeared before me the undersigned, and made oath that on the 30th day of October 1884, he delivered to J. J. Maness a true copy of the within notice - This 10th day of Nov
1884

L. M. Baldwin P.

Prison J. Miller clark

and J. Police

J. W. Baker and
J. J. Maness.

The Commonwealth of Virginia.

To any Justice of the Peace, Notary Public or Commissioner appointed by the Governor
of said State, resident in the State of Tennessee authorized to take Depu-
sitions in the County of Hancock State of Tennessee —GREETING:

Know ye that we, trusting to your fidelity and provident circumspection, do require you, that at such time and place
as you shall appoint, to call and cause to come before you, *J. H. Delf, Jacob Brotherton*
J. D. Herd, J. A. Kyle, Joseph W. Barker, Wm Willis &
Gilbert Miner

Witness on behalf of *Prior J. Miller & others the heirs at law*
of J. W. Robbette decd.,
in a certain *suit in chancery*
pending in the *Circuit* Court of Lee County between *J. W. Barker, Petitioner & J. D. Herd, J. A. Kyle,*
Plaintiff and *Prior J. Miller & others the heirs at law of J. W. Robbette decd.* Defendant, and *them* diligently
examine, touching the same in solemn form on oath or affirmation and having received their examination as aforesaid,
that you distinctly, plainly, and without delay certify, sign, and send the same enclosed into our said Court together with
this Writ. Witness, J. A. G. HYATT Clerk of our said Court, at the Court House, this the 27 day of Oct.
1884, in the 109th year of the Commonwealth.

John R. Gibson D., Clerk.

I do solemnly swear that *J. H. Delf, Jacob Brotherton, J. D. Herd, J. A. Kyle, Joseph W. Barker*
Wm Willis & Gilbert Miner
whose name *are* mentioned as witness in the commission above *are* non-resident of the State of
Virginia, so help me God.

Sworn to before me this 27 day of Oct

1884.

Prior J. Miller
John R. Gibson D., Clerk.

Prior J. Miller et als.
ads } Commission

J. W. Baker Adm for &c

Mr J. S. Manes
Sir:

You will please
take notice, that on the 28th day of
February 1885, at the dwelling house
of Martin Gilliam, Scott County, Vir-
ginia, I will proceed to take
the depositions of Martin Gilliam
and others, which when taken are
intended to be read as evidence on
our behalf in a certain suit in
Chancery now pending in the Circuit
Court of Lee County, Virginia—
wherein J. W. Baker admin for your
benefit is plaintiff, and we and
others are defendants. If from
any cause the taking thereof be not
commenced on that day or if com-
menced be not concluded the taking
thereof will be adjourned and con-
tinued from time to time and from
place to place until completed.

Oryon J. Miller wife
George Leland wife
and others heirs at law
of J. W. Robinson deceased.

Virginia Scott County to wit
This day G W Tankersley personally appeared
before me in my County aforesaid &
made oath that on the 23 day of
February 1885 - He delivered to S. J.
Mann a true copy of the within notice
given under my hand this 28 day of February 1885
J H Bloomer J P

Prayer J. Milledore
not a

Wah, J. J. J. J. J.

J. W. Baker as before

M. S. S. Maney

TAKE NOTICE, That _____ on the 19 day of

August, 1885, at the Clerk's office of the Circuit
Court of Scott County and we

will proceed to take the deposition of D. L. Bailey and others

which, when taken, are intended to be read as evidence on our behalf in a certain suit in Chancery
now pending in the Circuit Court of Lee County, State of Virginia, in which
you are _____ plaintiff and
we are _____ defendants.

And if from any cause the same be not commenced, or if commenced, be not concluded on that day, the
taking thereof will be adjourned from time to time, and from place to place, until completed.

August 1st, 1885,

Very Respectfully,

Payor J. Miller and
George W. Larkins
attys.

Oryz J. Mulliseta

ad. & notice.

J. J. Manges

Executed August
the 4th 1885 S. Lawson

& S. for R. D. L. L. L. L.
by delivering a true
copy

e. T. till tomorrow

J. J. Manges
S. L.

THE COMMONWEALTH OF VIRGINIA.

To The Sheriff Of Lee County Greeting :

We Command You to Summon

Prion J. Miller Admr. of J. W. Robinett dec'd & in his own right & Lydia Miller his wife, J. W. Robinett, Iseo. W. Robinett George W. Sautersley & Mary F. his wife, Wm. S. Gilley & Martha Ann his wife, T. R. Kyle Minnie J. Kyle Elizabeth Robinett widow of J. W. Robinett Martha Robinett, Wm. Robinett Laura Robinett, Elizabeth Robinett and Dona Robinett

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in

July

next being rule day to answer a bill in Chancery exhibited in our said Court against

them

by

John W. Baker Admr. of Eli Anderson dec'd for the benefit of

Sterling S. Mauree

And have then there this writ. Witness J. A. G. HYATT Clerk of our said Court at the Courthouse

This

19th day of June

1884, in the 10⁸ year of the Commonwealth.

J. A. G. Hyatt Clerk

A. C. D. M.

John W. Baker Adm for h
vs } Spa in Chcy

Prion J. Mullen Adm et al

Lo July Rules 1884

Executed by delivering
office copies of the
within Spa to Prion
J. Mullen Geo. Tankersley
twife. J. W. Robinett
G. W. Robinett &
Elizabeth Robinett

R. D. Flanagan
July 21 1884 S. L. C.

6 Copies Sheriff \$3.00

Chas 135-

THE COMMONWEALTH OF VIRGINIA.

To The Sheriff Of Lee County Greeting :

We Command You to Summon

Prion J. Miller Admr. of J. W. Robinett decd, for his own right, Lydia Miller his wife, J. W. Robinett, Geo. W. Robinett, Geo. W. Sankersley & Mary F. his wife, Wm. T. Gilley & Martha Ann his wife, T. R. Kyle, Minnie J. Kyle, Elizabeth Robinett, widow of J. W. Robinett, Martha Robinett, Wm Robinett, Laura Robinett, Elizabeth Robinett & Dona Robinett.

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in

July next being rule day to answer a bill in Chancery exhibited in our said Court against *them*

by *John W. Baken Admr. of Eli*
Bridson decd for the benefit of
Sterling S. Maness

And have then there this writ. Witness J. A. G. HYATT Clerk of our said Court at the Courthouse

This

19th day of *June*

1884, in the 10 & year of the Commonwealth.

Attest J. A. G. Hyatt cl *J. A. G. Hyatt* Clerk:

For
Martha Ann Gilley

6

THE COMMONWEALTH OF VIRGINIA.

To The Sheriff Of Lee County Greeting :

We Command You to Summon

J. Miller Adm. of *J. W. Robinett* dec'd, & in his own right, *Lydia Miller* his wife, *J. W. Robinett*, *Geo. W. Robinett*, *Geo. W. Saunders* & *Mary F. This wife*, *Wm. J. Gilley*, & *Martha Ann* his wife, *T. R. Kyle*, *Minnie Kyle*, *Elizabeth Robinett* widows of *J. W. Robinett*, *Martha Robinett*, *Wm. Robinett*, *Laura Robinett*, *Elizabeth Robinett* & *Dona Robinett*,

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in

July next being rule day to answer a bill in chancery exhibited in our said Court against them
by *John W. Barker* Adm. of *Eli Anderson* dec'd, for the benefit of
Sterling S. Maness

And have then there this writ. Witness J. A. G. HYATT Clerk of our said Court at the Courthouse

This *19th* day of *June* 1884, in the 10⁸ year of the Commonwealth.

A Copy Teste J. A. G. Hyatt Clerk
J. A. G. Hyatt Clerk

For
W. J. Gilley
We accept the service
of the within writ. This
June 28th 1884.
Attest.
His names
S. S. Catron
Wm J Gilley
Martha Ann Gilley

Publisher's Certificate.

JONESVILLE, VA.,

Aug 9th, 188*4*

I, *J. M. Morgan*, Publisher of the LEE COUNTY SUN,
a weekly newspaper published at Jonesville, Lee County, Virginia, do certify that the annexed
Chancery Order was published four successive weeks in said newspaper, publication ending
July 19th, 188*4*.

J. M. Morgan, Publisher.

VIRGINIA—in the Clerk's office of the
Circuit Court of Lee County, during va-
cation, on the 19th day of June, 1884.

IN CHANCERY.

John W. Baker, Administrator of Eli Ander-
son, deceased, for the benefit of Sterling S.
Maness, Plaintiff, versus Prior J. Miller,
Administrator of J. W. Robinett, deceased,
et al., Defendants.

The object of this suit is to subject the lands
in the bill mentioned to the payment of the
judgments, interests and costs in the plaintiff's
bill mentioned, and it appearing from an affi-
davit filed in this cause that the defendants,
Prior J. Miller and Lydia, his wife; J. H.
Robinett, George W. Robinett, T. R. Kyle,
Minnie J. Kyle, and Elizabeth Robinett, the
wife of J. W. Robinett, deceased, are
non-residents of the State of Virginia: It is
ordered that they appear here within one
month after due publication of this order and
do what may be necessary to protect their
interest in this suit.

A Copy—Teste: J. A. G. HYATT, Cl'k.
A. C. D. MANESS, P. Q.

AGENTS W. & L. H. H. & C.

Law of ^{the} Place of
the contract. govern
the rights of the
parties

J. W. Baker Admt
vs } Pub. Certif

Prior J. Miller & Co

Pub fee \$5.00